

8. Preparing The Initial Service Plan

8.1 Introduction

There must be a service plan for every child in foster care. Federal and state law require that the safety of the child must be the paramount concern in service planning (§16.1-281).

The service plan must directly address any needs or conditions that led to the placement of the child as defined in the Child Protective Services Safety Assessment and the Foster Care Initial Assessment as needing remediation. Any appropriate service must be made available to a foster child when that service is documented as needed in the child's foster care service plan or individual family service plan (IFSP).

(See Appendix C for Casework Procedures and Core Practice Issues on Service Planning Practices)

8.2 Foster Care Service Plan Format Requirements

Agencies may use the following:

- The Foster Care Service Plan or
- The Individual Family Service Plan (IFSP) developed by the family assessment and planning team or a service plan developed by the local department of social services if the plan meets the requirements of the Foster Care Service Plan listed in the following sections and is accepted by the court as a substitute. (§16.1-281)

(See Appendix C for Casework Procedures and Core Practice Issues on Integrating the Service Planning Process and the FAPT).

8.3 What Must be Included in Preparing the Service Plan

The *Code of Virginia* (§16.1-281) and federal law describe the requirements for the Foster Care Service Plan.

The plan must include:

- The reasons the child came into care and why placement is needed.
- The services offered to prevent removal of the child from the home of the birth parents/prior custodian.

- The child's situation at the time of placement in relation to the child's family. Information regarding the child's health and educational status must also be included.
- The nature of the placement or placements that will be provided the child. This must include a description of the type of home or facility in which the child is to be placed.
- A discussion of the appropriateness of the placement, which should include the efforts made to place the child in the least restrictive (most family like) setting available that can meet any special needs of the child, and the efforts made to place the child in close proximity to the parent's home.
- A discussion of how any court orders in respect to this child were carried out
- The needs, which must be met to achieve the goal for the child. Needs should be identified for the child, the birth parents/prior custodians, and foster parents. The needs should include a plan for visitation between the child and parents/prior custodians. If siblings are separated, a plan for visitation with siblings should also be included.
- The permanency goal selected for the child and family including the rationale as to why this goal is selected
- If a concurrent permanency plan is developed, the service plan must identify the alternate goal selected for the child and the needs and services related to achieving the alternate goal.
- The program, care, services and support which will be offered and a discussion of how these services will meet the specific needs of the child, parents/prior custodian, and foster parents. For teens 16 or over, the specific independent living services to meet the needs of the youth to assist the youth, family and foster family or care provider in the youth's transition to independence
- Target dates for completion of the services provided to the child, the parents/prior custodians, and foster parents
- Responsibilities, including conduct and support, which will be sought from the parents or prior custodians, which should include target dates for completion

- Responsibilities assigned to the child, the foster parents, adoptive parents, or other foster care provider with target dates for completion
- The projected date for goal achievement
- An indication of whether the child, parents or prior custodians, or foster parents were involved in the planning process. If the parents/prior custodians were not involved, the reason must be explained

The items above are covered in Part A of the Foster Care Service Plan

A separate section of the foster care service plan or the IFSP must be completed when the child cannot be returned to parents or prior custodians. This is Part B of the Foster Care Service Plan form. Depending on the goal for the child, it must:

- Include a full description of the reasons the child cannot return home
- Describe the opportunities for placement with relatives with the intent to transfer custody to them
- Include a plan to lead to termination of parental rights within the time frames specified in the adoptive placement plan (See Section 10.1.9)
- Specify why each goal of a higher priority cannot be achieved
- Explain why where appropriate, permanent foster care, independent living, or continued foster care is the plan for the child

8.4 Who Must Be Involved In Preparing The Service Plan

The worker responsible for case management (local department or other public or private agency) must involve the parents or prior custodians, foster parents, resource parents, pre-adoptive parents, residential care providers, and, as appropriate, the child in service planning. Local departments must attempt to involve all relevant agencies and individuals in service planning. Parental consultation in developing the service plan is essential except when parental rights have been terminated or the local department of social services or other designated agency has made diligent efforts to locate the parent(s) and such parent(s) cannot be located (§16.1-281).

The service worker may refer a foster care case for staffing and development of an Individual Family Service Plan (IFSP) to the Family Assessment and Planning Team (FAPT). The service worker's decision to refer a case to the FAPT will be guided by local Community Policy and Management Team (CPMT) procedures for referral.

[\(See Appendix C for Casework Procedures and Core Practice Issues on Who Should be Involved in Preparing the Service Plan\)](#)

8.5 Completion of the Foster Care Service Plan

A full service plan on all children must be completed and filed in the case record within:

- Sixty days of custody/placement (whichever comes first) of a child through court commitment, non-custodial foster care agreement, or a permanent entrustment agreement; or
- Within 30 days of signing a temporary entrustment for a placement of 90 days or more; the plan is the basis for requesting court approval of the entrustment.

8.6 Submission of the Foster Care Service Plan to the Court

The completed service plan must be submitted to court within 60 days of custody or placement, unless the child:

- Is living in his/her own home
- Is in an adoptive placement
- Has had a plan previously filed with the court as a result of the agency's seeking court approval of a temporary entrustment or non-custodial foster care placement

The judge may extend the time for submitting the service plan to the court an additional 60 days. The local department of social services must still have a completed service plan in the record within the first 60 days of placement to comply with federal regulations.

For a temporary entrustment of 90 days or more, the plan must be submitted to the court within 30 days of signing the agreement.

8.7 Distribution of the Foster Care Service Plan

The worker submits the foster care service plan transmittal with the names and addresses of the following individuals along with a copy of the entire Foster Care Service Plan to the court. The court is responsible for forwarding the service plan to:

- The attorney (GAL) for the child;
- The child's parent(s) or any other person standing in loco parentis, unless they have been permanently relieved of the care and custody of the child; and
- Other persons the court deems appropriate, such as the court appointed special advocate.

- A copy of the plan, excluding the section describing why a child cannot be returned home (Part B of the Foster-Care Service Plan) is sent by the court to the foster parents, resource parents or preadoptive parents. When a placement changes, the local department of social services must send a copy to the new placement provider.

8.8 Dispositional Hearing to Review the Foster Care Service Plan

The court will review and approve the plan at the dispositional hearing occurring within 75 days of the preliminary removal hearing or a hearing that brought the child into care, or when there has not been a previous court hearing, within 75 days of when the child entered foster care. If a child is entrusted, the court will approve the plan at the hearing when the entrustment agreement is approved.

The court and local department of social services must make reasonable efforts to ensure that parents receive notice of the dispositional hearing. At this hearing, the foster care review hearing date is set to occur within six months and appropriate individuals are provided notice to attend the next hearing.

Because of the requirement to hold a permanency planning hearing 14 months after placement, parents should be informed no later than the dispositional hearing of:

- What the local department of social services expects of them;
- The importance of assisting in developing and cooperating with the service plan requirements;
- The existence of a concurrent permanency plan goal and rationale for such a goal should the child not be able to return home; and
- The length of time they have to make changes necessary for the return of their children.

8.9 When a New Service Plan is Required

After the initial service plan is developed, a new plan is required:

- As a result of a change in goal (this plan must be submitted to the court)
- For the permanency planning hearing
- When a child returns from a commitment to the Department of Juvenile Justice.

8.10 When a Child Returns to Foster Care

When a child's legal custody has been returned from the local department of social services to his/her parents or prior custodians and the child returns to the custody of the local department and into a foster care placement, it will be considered a new placement. A new service plan must be completed and all requirements for Foster Care Service Plans met.

When a child returns home to his/her parents or prior custodians, remains in the custody of the local department of social services and then returns to foster care placement, it will be considered a new placement if the child was home for six months or longer. A new Foster Care Service Plan must be completed and scheduling court hearing and administrative reviews start from the new placement date.

If the child was home for less than 6 months and returns to an out-of-home placement, he/she will be considered to be in the original placement and all scheduling for service plan, administrative panel reviews and hearings will continue from the original placement date.